



# ROCKFORD POLICE DEPARTMENT

## GENERAL ORDER

**NUMBER:** 40.43

**TITLE:** Domestic Related Problems Involving Department Personnel

**SERIES NUMBER:** 40

**SERIES TITLE / SUBJECT:** Organization, Management and Administration

**TOPICS/ REFERENCE:** Domestic Related Investigations Involving Police Officers

**APPENDICIES:**

**ORIGINAL / EFFECTIVE ISSUE DATE:** April 4, 2013

**DATE OF LAST REVISION:** May 01, 2013

**THIS ORDER REMAINS IN EFFECT UNTIL REVISED OR RECINDED**

**CALEA STANDARDS:** 52.2.2

### Policy:

In incidents of domestic violence or domestic misconduct, the Department shall act quickly to protect the victim, arrest the perpetrator, and conduct parallel administrative and criminal investigations.

### Purpose:

Domestic Violence is a problem throughout the nation, impacting people of all walks of life. The purpose of this policy is to establish responsibilities and procedures for handling matters of domestic violence and domestic misconduct involving Department personnel. The purpose of the policy is also to provide guidance. This policy includes all Department personnel, whether sworn, civilian or volunteer, of any rank in the Department.

This Order is comprised of the following numbered sections:

- I. Definitions
- II. Procedures
- III. Effective Date
- IV. Reviews, Revisions and Cancellations

### I. Definitions:

- A. Domestic Dispute: For the purpose of this policy, refers to any argument, quarrel, shouting or confrontation between or among domestic partners and/or other family members that does not include an act of violence (threatened or actual). Domestic Violence: For the purpose of this policy, refers to any act of violence (threatened or actual) including but not limited to:
  - 1. Bodily injury or threat of imminent bodily injury
  - 2. Sexual assault

3. Unlawful physical restraint
4. Property crime directed at the victim
5. Violation of a court order of protection, or similar injunction
6. Death perpetrated by a police officer (on or off duty) or any police department employee upon his or her partner. Partner is defined as any individual with whom the officer:
  - a. Is or was legally married
  - b. Has a child in common
  - c. Is or has cohabitated
  - d. Has or had a dating relationship
  - e. Is specified as such by state law

## II. Procedures:

- A. The Department will adhere to a zero tolerance policy towards police officer domestic misconduct and violation of the policy will not be tolerated. The department will provide annual roll call training to officers on domestic misconduct and the zero tolerance policy.
- B. Department Responsibilities
  1. The department shall either in response to observed warning signs or at the request of an officer, domestic partners or other family members provide non-punitive avenues of assistance to officers, his/her partners, and other family members before an act of domestic violence occurs.
  2. The department shall identify a procedure for making confidential referrals to confidential counseling services either internally or in collaboration with existing community services that have specific expertise in domestic violence.
- C. Supervisor Intervention Responsibilities
  1. Demonstration of inappropriate aggressive behaviors while conducting police business shall be documented for consideration by supervisors. These behaviors may include the following: stalking and inappropriate surveillance altercations, injuries, or verbal disputes.
    - a. Supervisors shall maintain close supervision of officers whose behavior is inconsistent with acceptable standards for on-duty problem resolution.
    - b. Supervisors shall monitor frequent tardiness and absences.
    - c. Supervisors shall proactively inquire about all on or off-duty officer injuries.
    - d. Supervisors shall immediately make his/her commander aware of any and all such behaviors.
  2. Supervisors shall be cognizant of and document all behavior, on or off duty, where officers may be exhibiting signs of dealing with possible domestic violence related problems; including increased use of force during arrests, alcohol and/or drug abuse, increase in controlling behaviors, stalking activity, citizen and fellow officer complaints of unwarranted aggression and verbal abuse, and inappropriate aggression toward animals.
    - a. Supervisors shall immediately make his/her ranking supervisor aware of any and all such behaviors.

- b. The Chief of Police shall be informed of such circumstances or concerns in a timely manner through the department's chain of command. (CALEA 52.2.2)
- c. Supervisors shall prepare and submit written requests for evaluating an officer's mental and physical well being when behaviors or circumstances deem it appropriate.

D. Police Officer Responsibilities

- 1. Officers are encouraged and entitled to seek confidential assistance from the department to prevent a problem from escalating to the level of criminal conduct against an intimate partner. Assistance can be obtained by contacting a supervisor and/or seeking aid from the Employee Assistance Program (EAP).
- 2. Officers who are made aware of other department members who are dealing with potential domestic related problems have the responsibility to inform his/her immediate supervisor.
- 3. All officers shall be aware of possible witness or victim intimidation/coercion. Whenever an officer suspects this is occurring, they shall prepare a written report and immediately deliver it to the investigator in charge of the case through the proper chain of command.
- 4. Officers who engage in threatening, harassing, stalking, surveillance or other such behavior designed to interfere with cases against fellow officers or intimidate witnesses will be subject to investigation, disciplinary action, and possible criminal charges.
- 5. Officers who fail to cooperate with the investigation of a police officer domestic related problem case will be subject to investigation, and possible discipline.
- 6. An officer who knowingly files or causes to be filed a false reports that a victim of police officer domestic related problem has committed a crime (such as child abuse or neglect) will be subject to investigation, and possible criminal charges.
- 7. Any member of this agency who is arrested for a domestic related problem by another agency will notify the on duty Shift Commander as soon as possible. The on duty Shift Commander receiving such notifications will in turn immediately notify the Chief of Police, Deputy Chief or Assistant Deputy Chief (CALEA 52.2.2).
- 8. An officer who is the subject of a criminal investigation, protective or restraining order related to domestic related problem, regardless of jurisdiction, is required to report to his/her supervisor and provide notice of the court dates, times, appearances, and proceeding in a timely manner.
- 9. An accused officer who is the subject of any civil protective order, regardless of jurisdiction, shall notify his/her supervisor in a timely manner and provide a copy of the order to his/her supervisor.

E. On-Scene supervisor Response

- 1. A supervisor shall report to the scene of all Department personnel domestic violence situations that occur in the City of Rockford regardless of the involved officer's jurisdiction.

2. The on-scene supervisor shall assume command; ensure that the crime scene is secure and that all evidence is collected, including color photographs.
3. In cases where probable cause exists, the on-scene supervisor shall ensure an arrest is made.
4. If the offender has left the scene, the supervisor shall ensure a search is conducted and an arrest warrant is obtained if probable cause exists.
5. Whenever a police officer domestic related call does not result in an arrest, the on-scene supervisor shall submit a written report explaining any and all reasons why an arrest was not made or a warrant was not sought.
6. The on-scene supervisor shall ensure the victim is informed of the following:
  - a. The availability of an on-scene advocate.
  - b. Confidential transportation to a safe house, shelter, or any other location that ensures victim safety.
  - c. Procedures for obtaining restraining and/or protective orders and victim rights.
  - d. The standard of probable cause for arrest.
  - e. Judicial process, victim rights, and compensation following an arrest.
  - f. Written information on community resources and local domestic violence victim advocacy organization.
  - g. Whenever an arrest is made, the on-scene supervisor shall relieve the accused officer of his/her service weapon. In the absence of a command officer, one will be contacted immediately, beginning with the shift commander. The Chief of Police shall be notified immediately of the arrest. Where allowable under federal, state, or local ordinances, all other firearms owned or at the disposal of the accused officer shall be removed to further ensure victim safety (CALEA 52.2.2).
  - h. The Chief of Police or his designee shall coordinate relieving the officer of duty.
7. In matters that could be considered "parental discipline" involving a minor under the age of 18, the supervisor will immediately contact the shift commander who will advise the Deputy Chief of Investigative Services.

F. Additional Critical Considerations

1. When responding to domestic related problem complaints involving police officers from other jurisdictions, all responding officers, investigators, and supervisors shall follow the same procedures as if they were responding to a domestic related problem complaint involving an officer from their own department.
2. In the event that the reported incident involves the Chief of Police, the supervisor shall immediately notify a Deputy Chief. The Deputy Chief will notify the Mayor.
3. In the event the reported incident involves any officer from another jurisdiction, the supervisor shall notify the shift commander who will

make arrangements for notifying the appropriate authorities in the suspect's agency.

4. In responding to domestic related problem situations where the victim is a police officer, standard domestic related problem response and investigation procedures should be followed.
5. In responding to domestic related problem incidents where the parties involved are both police officers, standard domestic related problem response and investigation procedures should be followed.
6. Arrests warrants charging police officers with domestic related problem issued at a later time than the on-scene investigation shall be served by no less than two officers with at least one being of senior rank to the officer being served.

G. Investigation

1. If a supervisor determines further investigation is needed, an arrest may be made at a later time and date if necessary. The incident report shall articulate reason(s) for further investigation.

III. Effective Date:

- A. The effective date of this Order (40.43 – Domestic Related Problems Involving Department Personnel) is, April 4, 2013.

IV. Reviews, Revisions and Cancellations:

- A. This General Order will be reviewed annually by the Commander of the Investigative Services Bureau and, when necessary, revised or cancelled in accordance with the procedures for reviewing written directives established in General Order *10.01 – Written Directives*.
- B. Any employee with suggestions for revisions and/or improvements to this order are encouraged to submit their ideas to the Commander of the Investigative Services Bureau.

BY ORDER OF

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Chet Epperson

Chief of Police